

In the Supreme Court of the State of Alaska

Alvin Kennedy and Eliezer Feliciano,
Appellants,

v.

**Edward Jarvis, Anchorage Police and
Fire Retirement System, and The
Board of Trustees Anchorage Police
and Fire Retirement System,**
Appellees.

Supreme Court No. S-17553

Order Rejecting Appellants' Brief

Date of Order: 12/4/19

Trial Court Case No. 3AN-18-05165CI

Appellant's brief and excerpt of record, filed on 11/27/19, are rejected for the following reasons specified by the law clerk who reviewed the brief and excerpt for technical compliance with Appellate Rules 210 and 212.

The following matters must be corrected in order for the brief to be accepted.

1. The Table of Authorities is not in alphabetical order (Bd. of Trustees, APFRS should be after Baseden). AR212(c)(1)(B)
2. AMC Provisions Relied Upon includes the text of many provisions not listed in the Table of Authorities (e.g., AMC 3.60.010, .015, 045, etc.), and is missing many of the provisions that are listed (e.g., 3.85.070(H)-(K), etc.). AR212(c)(1)(C)
3. The jurisdictional statement must be on the first numbered page. AR212(c)(1)(D).
4. Statement of the Case section is missing citations to the record and contains arguments that should not be in the Facts section. Every factual assertion should be supported by a citation to the excerpt or record. AR212(c)(1)(G)
5. The Argument section is missing citations. Every factual assertion must be supported by a citation to the excerpt or record. A212(c)(1)(I)

The following matters must be corrected in order for the excerpt to be accepted.

1. Documents in the excerpt of record must be arranged in chronological order by document execution date, with the document with the earliest date on top. All of the documents listed under the heading of "Appellants Excerpt of Record Superior Court should be moved to before the Complaint. Clerk Instructions A.2.
2. A date is not listed in the Table of Contents for the retroactive pay stubs (appears to be 9/27/17), and those also need to be moved into chronological order. Clerk's Instructions A.5.
3. Some of the documents in the Anchorage Police & Fire Retirement System Memorandum for Hearing 2/5/18 contain pages that are not in order; e.g., SCExe. 119 is page 24 of 27 of an attorney's fees order, but SCExe. 120 is page 2 of 5 from a special verdict form, which also appears at SCExe. 54; SCExe. 124 is page 1 of a 12/22/17 letter, which is listed separately in the Excerpt at SCExe. 58; a blank page, SCExe. 132.

The original and one copy of the corrected brief, and the excerpt, with proof of service, are due on or before **12/16/19**.

The appellees' brief due date is **VACATED**. A notice with a renewed due date will be issued when the appellants' brief is accepted for printing and distribution.

Entered under Appellate Rule 102(f).

Clerk of the Appellate Courts



Beth A. Pechota, Case Manager

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